



GAIL FARBER, Director

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331

<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

July 14, 2015


The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

27 July 14, 2015


PATRICK OGAWA
ACTING EXECUTIVE OFFICER

**CONSTRUCTION CONTRACT
FIRE CAMP 8 SEPTIC SYSTEM REFURBISHMENT
UNINCORPORATED CITY OF MALIBU
APPROVE THE REVISED BUDGET
ADOPT, ADVERTISE, AND AWARD
SPECS. 7243; CAPITAL PROJECT NO. 89043
(THIRD DISTRICT)
(3 VOTES)**

SUBJECT

The recommended actions will authorize the Department of Public Works, acting on behalf of the Consolidated Fire Protection District, to proceed with construction of the Fire Camp 8 Septic System Refurbishment project.

IT IS RECOMMENDED THAT THE BOARD ACTING AS THE GOVERNING BODY OF THE CONSOLIDATED FIRE PROTECTION DISTRICT:

1. Approve the reduced \$1,694,000 project budget for the Fire Camp 8 Septic System Refurbishment project, Capital Project No. 89043.
2. Adopt plans and specifications for the Fire Camp 8 Septic System Refurbishment project, Capital Project No. 89045.
3. Instruct the Acting Executive Officer of the Board of Supervisors to advertise for bids to be received and opened on August 12, 2015, in accordance with the Instruction Sheet for Publishing Legal Advertisements.

4. Delegate authority to the Director of Public Works or her designee to make the determination that a bid is nonresponsive and to reject a bid on that basis, to award to the next lowest responsive and responsible bidder, and to waive inconsequential and nonmaterial deficiencies in bid submittals.
5. Authorize the Director of Public Works or her designee to execute a consultant services agreement with the apparent lowest responsive and responsible bidder to prepare a baseline construction schedule, submittal list, and submittals for long lead items for a \$2,600 not-to-exceed fee funded by the existing project funds and to establish the effective date following the Board's approval.
6. Contingent on the apparent lowest responsive and responsible bidder preparing a baseline construction schedule that is acceptable to the Director of Public Works or her designee, authorize the Director of Public Works or her designee to award and execute a construction contract to that bidder so long as the bid amount does not exceed \$880,000; to approve the Faithful Performance and Labor and Material Bonds and insurance submitted by the contractor; and to take all other actions necessary and appropriate to fully deliver this project.
7. Authorize the Director of Public Works or her designee to award and execute a contract for this project if the bid of the apparent lowest responsive and responsible bidder exceeds the estimated construction cost, but can be awarded within the total project budget of \$1,694,000.
8. Delegate authority to the Director of Public Works or her designee to execute any easements, permits, and utility connection agreements necessary for the completion of the project.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of the recommended actions will approve the reduced project budget, adopt plans and specifications, and authorize the Department of Public Works to solicit bids for construction and proceed with implementation and delivery of the Fire Camp 8 Septic System Refurbishment project. Fire Camp 8 is located at 1900 South Rambla Pacifico Street in unincorporated City of Malibu. The project will provide a new septic system at Fire Camp 8, to replace the existing aging septic system, which does not meet current code and is not properly sized to meet the camp's needs.

On November 5, 2013, the Board found the project exempt from the California Environmental Quality Act; approved and established Capital Project No. 89043 with a project budget of \$1,850,000; authorized the Director of Public Works or her designee to carry out the project, manage, and deliver the design and construction of the project on behalf of the Consolidated Fire Protection District; award and execute consultant services agreements, amendments, and supplements related to this project within the same authority and limits delegated to the Director of Public Works or her designee by the Board for County capital projects; to accept the project; and to release retention upon acceptance.

Plans and specifications and jurisdictional approvals are now complete. Adopting plans and specifications, advertising for bids, and delegating to the Director of Public Works or her designee the authority to award, execute, and implement a consultant services agreement for the preparation of a baseline construction schedule, and the authority to award and execute a construction contract with the lowest responsive and responsible bidder will allow an accelerated process for delivering the project. Authorizing this accelerated delivery process will ensure that the existing septic system is

promptly replaced, and thus reduce the likelihood of the system's short-term failure. Preventing the potential failure of the septic system will ensure the camp remains operational.

The proposed consultant services agreement with the apparent lowest responsive and responsible bidder to prepare a baseline construction schedule that conforms to the County's schedule specifications is critical to successfully manage construction activities by both the contractor and the County. Bid documents provide that if the apparent lowest responsive and responsible bidder fails to complete an acceptable schedule, the Director of Public Works or her designee may return to the Board to recommend that the bidder be determined non-responsive and recommend awarding the construction contract to the next apparent lowest responsive and responsible bidder, contingent on that bidder completing a baseline schedule that conforms to the County's specifications.

Green Building/Sustainable Design Program

The project supports the Board's Sustainable Design Program by installing a new septic system, which will result in cleaner effluent being percolated back into the soil.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provisions of Operational Effectiveness/Fiscal Sustainability (Goal 1), Community Support and Responsiveness (Goal 2), and Integrated Services Delivery (Goal 3) by maximizing the effectiveness of process, structure, and operations to support timely delivery of customer-oriented and efficient public service. The project will achieve these goals by refurbishing the existing septic system at Fire Camp 8, which will operate more efficiently.

FISCAL IMPACT/FINANCING

On November 5, 2013, the Board approved a budget of \$1,850,000 for the Fire Camp 8 Septic System Refurbishment project. The project budget is currently estimated at \$1,694,000, which includes plans and specifications, construction, change orders, consultant services, miscellaneous expenditures, County services, and a one-year operation and maintenance agreement. The reduction is due to lower anticipated assessment construction costs, resulting from design value engineering. Although the original report recommended the complete replacement of the existing septic system, it was determined upon further investigation that the concrete tanks were in good condition and could remain operational. Therefore, the design was modified so the concrete tanks would remain in place. Public Works' fair construction cost estimate for the project is \$880,000 including a 10 percent bid contingency.

Sufficient funds are available in the Fiscal Year 2014-15 Capital Projects/Refurbishment Budget, Capital Project No. 89043, to fully fund the project. The project is funded with fund balance from the Fire Department Accumulated Capital Outlay Fund. There is no impact to net County cost.

The revised project schedule and budget summaries are included in Attachment A.

Operational Budget Impact

A one-year Operation and Maintenance Agreement will be included as part of the construction contract. The Fire District will be responsible for the operation and maintenance of the refurbished septic system once the one-year agreement expires, which is estimated at \$15,000 per year.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The contract agreement will be in the form previously reviewed and approved as to form by County Counsel.

The contract will contain terms and conditions supporting the Board's ordinances and policies, including, but not limited to: County Code Chapter 2.200, Child Support Compliance Program; County Code Chapter 2.202, Contractor Responsibility and Debarment; County Code Chapter 2.203, Contractor Employee Jury Service Program; County Code Chapter 2.206, Defaulted Property Tax Reduction Program; Board Policy 5.050, County's Greater Avenues for Independence and General Relief Opportunities (GAIN/GROW); Board Policy 5.060, Reporting of Improper Solicitations; Board Policy 5.110, Contract Language to Assist in Placement of Displaced County Workers; and Board Policy 5.135, Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law).

Applicable law, including the State Public Contract Code, requires the County to award a construction contract to the apparent lowest responsive and responsible bidder, which refers to the firm that: (1) submits the lowest cost bid; (2) is deemed by the County to be "responsive" to specific criteria under the solicitation, including, but not limited to, licensure, bonding, and insurance requirements; and (3) is determined by the County to be "responsible" bidder by exhibiting the quality, fitness, capacity, experience, and trustworthiness to satisfactorily perform the work required under bid solicitation.

To ensure that the contract is awarded to the apparent lowest responsive and responsible bidder with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the contractors State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy 5.140, the information reported by the bidder will be considered before a contract is awarded.

In order to expedite construction of the project, it is recommended that the Board authorize the Director of Public Works or her designee to award and execute a construction contract to the lowest responsive and responsible bidder if the low bid can be awarded within the revised total project budget of \$1,694,000.

This project will be advertised in accordance with Section 20392 of the State Public Contract Code.

The plans and specifications will include contractual provisions, methods, and material requirements necessary for this project and will be on file with Public Works.

Per the Board's Civic Art Policy adopted on December 7, 2004, and revised on December 15, 2009, this project is exempt from the Civic Art Fund as it is an infrastructure project.

ENVIRONMENTAL DOCUMENTATION

On November 5, 2013, the Board approved the project and found the project categorically exempt from the provisions of CEQA pursuant to Section 15302(c) of the CEQA guidelines and Class 2(e) of

the County's Environmental Document Reporting Procedures and Guidelines, Appendix G. There have been no changes to the project scope since the Board determined the project to be exempt. A Notice of Exemption was filed with the Registrar-Recorder/County Clerk following the Board's exemption finding.

CONTRACTING PROCESS

A standard contract, in the form previously approved by County Counsel, will be used for construction. The standard Board-directed clauses that provide for contract termination, renegotiation, and hiring qualified displaced County employees will be included in the contract.

As required by the Board, language has been incorporated into the project contract documents stating that the contractor shall notify its employees, and shall require each subcontractor to notify its employees that they may be eligible for the Federal Earned Income Credit under the Federal Income Tax Law (Federal Income Tax Law, Internal Revenue Service Notice 1015).

Advertising for bids will be in accordance with the County's standard Instruction Sheet for Publishing Legal Advertisements (Attachment B).

As required by the Board on February 3, 1998, this contract opportunity will be listed on the "Doing Business with Us" website. In addition, prospective bidders will be able to download plans and specifications on Public Works' website, free of charge.

The contract requires the contractor to pay its employees applicable prevailing wages in accordance with the California Labor Code.

Participation by Community Business Enterprises in the proposed project is encouraged through Public Works' Capital Projects' CBE Outreach Program and by monitoring the good faith efforts of bidders to utilize CBEs.

This project will be contracted in an open-competitive basis. A decision to award by the Director of Public Works or her designee will be made after review of the bids meeting the criteria established by the Board and the State Public Contract Code. The contract will be awarded to the apparent responsible contractor with the lowest responsive bid meeting the criteria established by the Board and the State Public Contract Code.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

There will be no negative impact on current County services or projects during the performance of the authorized activities. The Fire Camp 8 will remain operational during construction of the septic system refurbishment.

CONCLUSION

Please return one adopted copy of this letter to the Department of Public Works, Project Management Division II.

The Honorable Board of Supervisors

7/14/2015

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Respectfully submitted,

A handwritten signature in black ink that reads "Gail Farber". The script is cursive and fluid, with the first name "Gail" and last name "Farber" clearly distinguishable.

GAIL FARBER

Director

GF:JFK:ec

Enclosures

c: Arts Commission
Auditor-Controller
Chief Executive Office (Rochelle Goff)
County Counsel
Executive Office
Fire Department
Internal Services Department
Department of Public Social Services
(GAIN/GROW Program)

July 14, 2015

ATTACHMENT A

**CONSTRUCTION CONTRACT
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UNINCORPORATED CITY OF MALIBU
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I. PROJECT SCHEDULE

Project Activity	Schedule Completion Date	Revised Completion Date
Design		
Construction Documents	05/22/14	03/05/15*
Jurisdictional Approvals	08/14/14	05/19/15*
Construction Bid and Award	11/24/14	08/24/15
Construction		
Substantial Completion	11/23/15	04/25/16
Project Acceptance	01/20/16	06/23/16

* Indicates completed activity.

II.PROJECT BUDGET SUMMARY

Budget Category	Approved Project Budget	Impact of this Action	Revised Project Budget
Land Acquisition	\$ 0	\$ 0	\$ 0
Construction			
Low Bid	\$ 1,093,000	(\$ 293,000)	\$ 800,000
Bid Contingency (10 percent)	\$ 0	\$ 80,000	\$ 80,000
Change Order (15 percent)	\$ 164,000	(\$ 32,000)	\$ 132,000
Subtotal	\$ 1,257,000	(\$ 245,000)	\$ 1,012,000
Equipment	\$ 0	\$ 0	\$ 0
Plans and Specifications			
Plans and Specifications	\$ 145,000	\$ 0	\$ 145,000
Subtotal	\$ 145,000	\$ 0	\$ 145,000
Consultant Services			
Environment Documentation	\$ 20,000	(\$ 20,000)	\$ 0
Project Cost Estimating	\$ 10,000	\$ 5,000	\$ 15,000
Deputy Inspection	\$ 30,000	\$ 25,000	\$ 55,000
Project Scheduling	\$ 10,000	(\$ 10,000)	\$ 0
Labor Compliance	\$ 0	\$ 10,000	\$ 10,000
Subtotal	\$ 70,000	\$ 10,000	\$ 80,000
Miscellaneous Expenditures			
Printing/Legal Advertisement	\$ 5,000	\$ 0	\$ 5,000
Subtotal	\$ 5,000	\$ 0	\$ 5,000
Jurisdictional Approvals	\$ 15,000	\$ 5,000	\$ 20,000
County Services			
Code Compliance and Quality Control Inspections	\$ 31,000	\$ 61,000	\$ 92,000
Contract Administration	\$ 12,000	\$ 5,000	\$ 17,000
Contract Compliance	\$ 25,000	(\$ 25,000)	\$ 0
Project Management	\$ 231,000	\$ 6,000	\$ 237,000
Secretarial	\$ 15,000	(\$ 1,000)	\$ 14,000
Document Control	\$ 15,000	\$ 0	\$ 15,000
Technical Support	\$ 11,000	\$ 7,000	\$ 18,000
Contract Recovery	\$ 8,000	\$ 21,000	\$ 29,000
ISD Countywide Contract Compliance	\$ 10,000	\$ 0	\$ 10,000
Subtotal	\$ 358,000	\$ 74,000	\$ 432,000
Total	\$1,850,000	(\$ 156,000)	\$ 1,694,000

July 14, 2015

ATTACHMENT B

**CONSTRUCTION CONTRACT
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PUBLISHING LEGAL ADVERTISEMENTS: In accordance with the State of California Public Contract Code Section 20125, you may publish once a week for two weeks in a weekly newspaper or ten times in a daily newspaper. Forward three reprints of this advertisement to Architectural Engineering Division, Department of Public Works, 900 South Fremont Avenue, 8th Floor, Alhambra, California 91803-1331.

OFFICIAL NOTICE

INVITING BIDS

Notice is hereby given that the Director of Public Works will receive sealed bids for furnishings, materials, labor, and equipment required to complete construction for the following project:

			BID DOC.	DATE OF BID
<u>SD</u>	<u>SPECS</u>	<u>PROJECT</u>	<u>FEE</u>	<u>OPENING</u>
3	7243	Fire Camp 8 Septic System Refurbishment	\$75	August 12, 2015

Copies of the project manual and drawings for the project may be downloaded for free from the Public Works website <http://dpw.lacounty.gov/go/constructioncontracts>; or for \$75, a copy may be obtained at the Cashier's office, Department of Public Works, 900 South Fremont Avenue, Mezzanine Floor, Alhambra, California 91803, for the fee stated above. For bid information, please call Ms. Cheryl Wong at (626) 300-2330. Each bid shall be submitted on the required form, sealed, and filed at the Cashier's office no later than 10:30 a.m. on August 12, 2015. Bids for the project will be publicly opened, examined, and declared by Public Works at 11:00 a.m. on this date in one of the Main Conference Rooms, 900 South Fremont Avenue, Alhambra, California 91803.

Bids must conform to the drawings and project manual and all bidding requirements. This project requires the prime contractor to possess an active A license classification at the time of bid submittal. The contractor should verify to his/her satisfaction that he/she holds the correct license for the project. The contractor and all of its subcontractors of any tier shall be required to pay prevailing wages to all workers employed in the execution of the work of improvement in accordance with the Labor Code Section 1770 et seq. Copies of prevailing rate of per diem wages are on file at the Public Works, Architectural Engineering Division, which shall be made available to any interested party upon request.

PREBID CONFERENCE

The Public Works' Project Management Team will hold a pre-bid conference/site visit on July 27, 2015, at 10:30 a.m., at Fire Camp 8 located at 1900 Rambla Pacifico Street in the unincorporated City Malibu to provide information on the project, bidding process, and answer any questions that the potential bidders may have.

For further directions, please contact Ms. Cheryl Wong with the Public Works' Architectural Engineering Division at (626) 300-2330 or cwong@dpw.lacounty.gov.

OTHER INSTRUCTIONS

The County supports and encourages equal opportunity contracting. The contractor shall make good faith efforts, as defined in Section 2000 of the Public Contract Code, to contract with Community Business Enterprises.

The Board of Supervisors reserves the right to reject any or all bids or to waive technical or inconsequential errors and discrepancies in bids submitted in the public's interest.

Americans with Disabilities Act (ADA) Information



Individuals requiring reasonable accessibility accommodations may request written materials in alternate formats, physical accessibility accommodations, sign language interpreters or other reasonable accommodations by contacting our departmental Americans with Disabilities Act Coordinator at (626) 458-4081, from 7:30 a.m. to 5:00 p.m., Monday through Thursday (excluding holidays). Persons who are deaf or hard of hearing may make contact by first dialing the California Relay Service at 7-1-1. Requests should be made at least one week in advance to ensure availability. When making a reasonable accommodation request, please reference PM-3.

Información sobre la Ley de Estadounidenses con Discapacidades (ADA)



Individuos que requieran acomodamiento razonable pueden solicitar materiales escritos en formatos alternativos, acomodamiento físico, intérpretes en lenguaje de señas Americano ú otros acomodamientos razonables comunicándose con nuestro Coordinador Departamental de la Ley de Estadounidenses con Discapacidades al (626) 458-4081, de 7:30 a.m. a 5 p.m., lunes a jueves (excluyendo días festivos). Personas con problemas auditivos pueden comunicarse primer marcando al Servicio de Difusión de California al 7-1-1. Solicitudes pueden hacerse por lo menos una semana antes para asegurar disponibilidad. Cuándo se haga una petición razonable para acomodo, por favor mencione PM-3.

By order of the Board of Supervisors of the County of Los Angeles, State of California,
dated July 14, 2015.

Specs. 7243

PATRICK OGAWA, ACTING EXECUTIVE OFFICER
OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF LOS ANGELES